

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF NEW YORK

In re:

Mark Duprey and Mary Duprey
(SSN: XXX-XX-3432; XXX-XX-6512)
Debtors.

Hearing Date: April 25, 2013
Hearing Time: 12:30 PM
Hearing Location: Albany

Case No. 13-10386
Chapter 13

TRUSTEE'S OBJECTION TO CONFIRMATION

Andrea E. Celli, Chapter 13 Standing Trustee for the Northern District of New York

(the "Trustee") states the following as and for her objection to confirmation of the Chapter 13

Plan. The Debtors filed the petition for relief on Feb 19, 2013. The Proposed Plan is as follows:

Start	Periods	Amount	Type
03/01/2013	36.00	\$290.00	MONTHLY

The Trustee objects to the confirmation of the proposed plan and submits that the plan does not meet the requirements for confirmation under 11 U.S.C. 1322, 1325 as follows:

INFORMATION NEEDED: The Trustee cannot determine if all provisions of 11 U.S.C. § 1325 have been met and requests additional information to assist in her determination, as follows:

-The Trustee objects to language in Section V of the plan requiring return of funds to debtor in a confirmed case in the event of conversion. In addition, a Trustee fee shall be taken on all funds received by the Trustee

WHEREFORE, the Trustee respectfully requests that this Court issue an Order denying confirmation of the plan or briefly adjourning the hearing on confirmation to allow the movant to resolve the objection contained herein.

Respectfully Submitted,

ANDREA E. CELLI, CHAPTER 13 TRUSTEE

By:/s/

Andrea E. Celli, Chapter 13 Trustee
7 Southwoods Blvd.
Albany, NY 12211
(518) 449-2045

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF NEW YORK

IN RE: Mark Duprey
Mary Duprey

AFFIDAVIT OF SERVICE
Case No.: 13-10386

Debtors

SHARON MCGUIRE, BEING DULY SWORN, DEPOSES AND SAYS: THAT SHE IS OVER THE AGE OF 18 YEARS; THAT SHE SERVED A COPY OF **TRUSTEE'S OBJECTION TO CONFIRMATION** DATED APRIL 18, 2013 ON THE FOLLOWING MANNERS: ON APRIL 18, 2013.

VIA ELECTRONIC FILING:

Office of the United States Trustee
74 Chapel Street
Albany, NY 12207

MICHAEL J. O'CONNOR, ESQ.
% O'CONNOR, O'CONNOR, ETAL
20 CORPORATE WOODS BLVD
ALBANY, NY 12211

VIA REGULAR U.S. MAIL

Mark Duprey
Mary Duprey
21102 Watersview Circle
Cohoes, NY 12047

BY DEPOSITING A TRUE AND CORRECT COPY OF THE SAME PROPERLY ENCLOSED IN A POST-PAID WRAPPER IN THE OFFICIAL DEPOSITORY MAINTAINED AT 7 SOUTHWOODS PLAZA, ALBANY, NEW YORK DIRECTED TO SAID PERSON(S), AT SAID ADDRESSES.

/s/ SHARON MCGUIRE

SHARON MCGUIRE

Sworn before me this
18th day of April, 2013

/s/ Debra A. Wasielewski

Reg. # 01WA6041536
Notary Public - State of NY
Qualified in Rensselaer County
My Comission Expires 05/08/2014